

IC 20-8.1-7-16

Sec. 16. (a) The governing body of each school corporation shall conduct:

(1) an annual vision test, using the modified clinical technique described in subsection (c), of all children upon their enrollment in either kindergarten or the first grade; and

(2) an annual screening test of the visual acuity of all children enrolled in or transferred to the third and eighth grades and of all other school children suspected of having a visual defect.

(b) Records of all tests shall be made and continuously maintained in order to provide information useful in protecting, promoting, and maintaining the health of school children. The state department of health and the Indiana state board of education shall adopt joint rules concerning vision testing equipment, qualifications of vision testing personnel, visual screening procedures, and criteria for failure and referral in the screening tests based upon accepted medical practice and standards.

(c) For purposes of this section, "modified clinical technique" means a battery of vision tests that includes:

(1) a visual acuity test to determine an individual's ability to see at various distances;

(2) a refractive error test to determine the focusing power of the eye;

(3) an ocular health test to determine any external or internal abnormalities of the eye; and

(4) a binocular coordination test to determine if the eyes are working together properly.

(Formerly: Acts 1973, P.L.218, SEC.1.) As amended by P.L.140-1986, SEC.1; P.L.2-1992, SEC.714.

IC 20-8.1-7-16.5

Sec. 16.5. (a) If a school corporation is unable to comply with section 16(a)(1) of this chapter, the governing body of the school corporation may, before November 1 of a school year, request from the state superintendent of public instruction a waiver of the requirements of section 16(a)(1) of this chapter.

(b) The waiver request under subsection (a) must:

(1) be in writing;

(2) include the reason or reasons that necessitated the waiver request; and

(3) indicate the extent to which the governing body of the school corporation attempted to comply with the requirements under section 16(a)(1) of this chapter.

(c) The state superintendent of public instruction shall take action on the waiver request no later than thirty (30) days after receiving the waiver request.

(d) The state superintendent of public instruction may:

(1) approve the waiver request;

(2) deny the waiver request; or

(3) provide whatever relief that may be available to enable the school corporation to comply with the requirements under section 16(a)(1) of this chapter.

(e) If the state superintendent of public instruction approves the waiver request, the governing body of the school corporation shall conduct an annual screening test of the visual acuity of all children upon their enrollment in or transfer to the first grade.

As added by P.L.140-1986, SEC.2.